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File

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76-2228

OGC 76-2266
30 April 1976

MEMORANDUM FOR: Associate Deputy Director for Administration ✓
ATTN: Director of Communications
Director of Logistics
Associate Deputy Director for Science & Technology

SUBJECT : Pre-Trial Discovery in United States v. American Telephone and Telegraph, et al.

REFERENCES : A. Memorandum to same addressees as above from OGC dated 7 March 1975 (OGC 75-0852)
B. Memorandum to same addressees as above from OGC dated 3 April 1975 (OGC 75-1275)

1. In connection with the referent case, attorneys from the Anti-Trust Division, Department of Justice, have advised this Office that they wish to begin planning for the pre-trial discovery problems that will be posed by documents held by CIA. The DOJ attorneys are Bill L. Bryant, Jr., Phillip L. Verveer, and Peter E. Halle. They either have been or are in the process of being cleared for SPECIAL INTELLIGENCE and TALENT-KEYHOLE.

2. The DOJ attorneys have already held discussions with the Defense Communications Agency and are scheduled to talk with knowledgeable parties at NSA and ERDA. They have determined specific areas in which the defendants will seek pre-trial discovery or otherwise attempt to make an issue in the case. These are the following:

- a. CIA's communications needs and activities in general.
- b. Research and development activities in general.
- c. CIA's relationships with AT&T and Bell Laboratories.

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d. CIA's relationship with any competitors of AT&T and Bell Laboratories.

e. What CIA does in high technology electronics that does not involve AT&T and Bell Laboratories.

3. In order to assess the pre-trial discovery problems that will arise, the DOJ attorneys have requested that they be given initial briefings by CIA which cover the areas listed in paragraph 2. We have tentatively agreed upon the date of 24 May to commence these briefings, but it is anticipated that there will be further detailed questions and discussion. [] of this Office will participate in the discussions on these matters, and any questions which you have should be referred to him on ext. []

[]
Assistant General Counsel
General Law Division

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